श्री राम अवधेश सिंह (बिहार) : * मैंने नहीं कहा । .... (व्यवधान)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): If it is on he record, it is to be expunged. But I have not heard it. *(Interruptions)* If it is on the record, it will be expunged.

Now the House stands adjourned for lunch and will meet at 2.30 P.M.

The 'House then adjourned for lunoh at thirty minutes past one of the clock.

The House reassembled after lunch at thirtytwo minutes past two of the clock, The Vide-Chairman Shri Jagesh Desai, in the Chir.

I. Statutory Resolution seeking dis approval or the conservation of Fo reign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance, 1987.

II. The Conservation of Foreign Ex change and Prevention of Smuggl ing Activities (Amendment) Bill, 1987—Contd.

श्री राम अवधेश सिंह (बिहार) : माननीय उपसभाध्यक्ष जी, मैं आप से शुरू में ही आग्रह करू कि यह बहुत महत्वपूर्ण बिल है इस पर थोड़ा उदार रहियेगा ।

उपसभाध्यक्ष (श्री जगेश डेसाई) : आपका समय 4 मिनट है मगर मैं आपको ज्यादा समय दूंगा ।

श्री राम अवधेश सिंह : महोदय, विदेशी मुद्रा संरक्षण और तस्करी संशोधन विधयक, 1987 को सदन में लाने से मुझे खुशी हुई है और मैं इस बात के लिए मंत्री जी को धन्यबाद देना चाहता हूं । इसमें कोई शक नहीं है ...

श्री एच० हनूमनतप्पा (कर्णाटक) : अवधेश जी जब सरकार को धन्यवाद दें तो समझिये बस सब ठीक हो गया ।

उपसभाध्यक्ष (श्री जगेश डसाई) : यह तो इनका बोलने का तरीका है । आप सुनिये इनको ।

श्री राम अवधेश सिंह : यह जो विधेयक हमारे सामने है ऊपर से यह लगता है कि अच्छा विधेयक है । सचमुच यह ऐसे विषय पर विधेयक आया है, जैसे, अपराधियों को पकड़ना, अपराधों पर पाबन्दी लगाना जो कि घुन की तरह देश को खा रहे हैं । पूरे देश की अर्थ व्यवस्था को जो अपराधी बिगाड़ रहें हैं उन पर अंकुश लगाने का एक असफल प्रयास इस विधेयक के जरिये किया गया इस विधेयक में एक साल की बजाय दो साल की जो सजा की गई है इससे अपराधियों का कुछ बनता-बिगड़ता नहीं है । मैं चाहता हू कि यह जो संशोधन विधेयक लाया गया है इसको एक नेट की तरह, एक जाल की तरह, बनना चाहिए जिससे बड़ी मछलियां तो अवश्य ही पकड़ में आ जायें और अगर छोटी मछलियां निकल भी जायें तो हर्ज नहीं है । हमारी प्रार्थना है कि सरकार इस बिल में इस प्रकार का संशोधन पेश करे कि जो बड़े अपराधी हैं वे किसी भी तरह से निकलने न पायें । अगर छोटे अपराधी निकल भी जाय तो उससे देश का कुछ बनता-बिगड़ता नहीं है । अभी तक देखने में यह आया है कि जो बड़े अपराधी है, जो बड़े आर्थिक अपराधी हैं, वे बड़ी आसानी से निकल जाते हैं, लेकिन छोटे अपराधी फंस जाते हैं । आपका यह रबर का जाल है, स्टील का जाल नहीं है । बड़ी मछली तो अपराध करके निकल जाती है, लेकिन छोटी मछलियां पकड़ी जाती हैं । इसलिए मेरी प्रार्थना है कि आप इस जाल को थोड़ा टाइट कीजिये और एसा बनाइये जिसमें बड़े अपराधी किसी भी तरह से बच न सकें । मैं एक उदाहरण देना चाहता हूं । इस सरकार की राजनैतिक इच्छा नहीं है बड़े अपराधियों को पकड़ने की । इनमें पोलिटिकल विल नहीं है। मैंने एक चिट्ठी प्रधान मंत्री जी को 4 जून को लिखी थी जिसमें यह बताया था कि एक बड़ा अपराधी देश का पूरा-का-पूरा पैसा विदेश में जमा किया है । उसका सबूत यह - फोटो कापी है, टेलेक्स की कापी है । यह ह मारे पास है । हमने इस संबंध में प्रधान मंत्री को [illegible]

*Expunged as ordered by the Chair.

[श्री रा अवधेश सिंह]

लिखा था। 29 मट्ट को इस बारे में 'स्टेट्समैन' में छपा था। यह देश के एक बड़े आर्थिक अपराधी के बारे में था। यह बड़ा बदनाम घराना है। उसका नाम साहू जैन, अशोक कुमार जैन या ए०के० जैन है। मैं इसको टेबल पर रखना चाहता हूं, आप अगर इसकी स्वीकृति दें तो मैं इसी में से कोट कर रहा हूं।

उपसभाध्यक्ष (श्री जगेश देसाई) : समय बहुत है, जो मुददे हैं उनको ही आप पढ़ दीजिये।

श्री राम अवधेश सिंह : महोदय, यह टैलेक्स में है। 20 सितम्बर, 1983 को 2 बजकर 59 मिनट पर एक टैलेक्स लन्दन के हिल्टन होटल के कमरा नं० 1504 से भेजा गया ज्यूरिस हेंडल्स बैंक के पास स्विटजरलैण्ड में जिसमें यह कहा गया है कि जो हमारा एकाउन्ट है उसमें से 40 हजार पौण्ड और दूसरी बार 15 हजार पौण्ड ट्रांसफर कर दिये जायें। इसलिए मैं यह जानना चाहता हूं सरकार से, बिलकुल केटेगरीक्ली कि क्या इस पैसे को विदेशी बैंक में जमा करने का श्री अशोक कुमार जैन को रिजर्व बैंक ने परमिशन दी थी? अगर नहीं दी थी तो उन पर कानून के उल्लंघन का आरोप लग सकता है या नहीं जिसमें फारन एक्सचेंज एक्ट, इनकम-टैक्स एक्ट और दूसरे जो कानून हैं, वे सब इन्वोल्व हो जाते हैं? तो यह 29 मई 1986 को छपा और 30 को जवाब आया अखबारों के जरिये। लेकिन वह जवाब बिल्कुल वेग था। उनसे 6 सवाल पूछे गये थे। इन 6 सवालों के उत्तर में उन्होंने यह कहा कि यह बिल्कुल बेबुनियाद बात छापी है। लेकिन बाकी 5 सवालों का जवाब नहीं दिया। पहला सवाल उसमें था कि क्या आपने रिजर्व बक आफ इंडिया से स्विटजरलैण्ड के बैंक में पैसा जमा करने की परमीशन ली थी। दूसरा सवाल था कि क्या अप 1504 नम्बर के कमरे में होटल हिल्टन में ठहरे थे। तीसरा सवाल था कि जूरिख में जो हैंडल बैंक है वहां आपने टैलेक्स भेजा था। चौथा सवाल था क्या आप वहां मिस्टर सिजरिस्ट से मिले थे या नहीं मिले थे और फिर था कि क्या आपने सिंगापुर में हंगरफोर्ड इन्वैस्टमेंट ट्रस्ट की जो टर्नर मारीसन कंपनी है उसमें आपने 12 प्रतिशत हिस्सा लगाया है या नहीं। ये क्लैयर सवाल थे। लेकिन इनका कोई जवाब नहीं दिया गया। तो मैं मंत्री जी से चाहूंगा कि वे इसको स्पष्ट करें। आज नहीं तो कल ही सही, कल नहीं तो परसों ही सही लेकिन ये बहुत सीरियस अलीगेशंस हैं, हमारे यहां, आप जानते हैं कि बोफोर्स के मामले में कितना हंगामा हुआ, सरकार पर आरोप है लेकिन अब दूसरे पूंजीपति भी यहां से पैसा चुराकर और सारे कानूनों का उल्लंघन करके विदेशों में जमा करा रहे हैं और सरकार उनके विरूद्ध कार्यवाही करने में असक्षम है। इस संबंध में मैं और कुछ नहीं कहना चाहता लेकिन एक बात...

उपसभाध्यक्ष (श्री जगेश देसाई) : लास्ट प्वाइंट, 10 मिनट हो गये।

श्री राम अवधेश सिंह : अभी तो मैंने अपनी बात कही नहीं।

उपसभाध्यक्ष (श्री जगेश देसाई) : 10 मिनट हो गये। आपका केवल 4 मिनट का समय था।

श्री राम अवधेश सिंह : अब मैं बिल पर आने वाला हूं।

उपसभाध्यक्ष (श्री जगेश देसाई) : लास्ट प्वाइंट बोलिये।

श्री राम अवधेश सिंह :

"The Directorate also identified the telex number in Switzerland as that of the Handlesbank. Moreover, it was able to establish that a Mr. A. K. Jain had indeed stayed in Room No. 1504 of the London Hilton on September 20, 1983 and sent the message. Among the many Finance Ministry officials involved in the investigation were Mr. V. C. Pande, the then Secretary (Revenue), Mr. M. L. Wadhawan, Director-General of Economic Intelligence Bureau Mr. B. V. Kumar, Director, Revenue Intelligence, and others....

तो मैं यह कहना चाहता हूं कि ये बातें अखबारों में छप चुकी हैं और मंत्री महोदय ने इन तमाम अखबारों में छपी चीजों के बारे में, इन सीरियस राष्ट्र विरोधी हरकतों के बारे में जो कुछ छपा है उसकी कटिंग जरूर पढ़ी

होगी । तो मैं जानना चाहता हूं कि क्या सरकार ने इस पर कोई कार्यवाही की है ? क्या सरकार ने ए० के० जैन से इस संबंध में पुछताछ की है । यह जवाब आप आज शाम को नहीं तो कल को दे दें । हो सकता है कि इसका रेडीमेड जवाब इस समय आपके पास न हो । लेकिन इसका जवाब जरूर आना चाहिए ।

महोदय, मैं एक बात और कहना चाहता हूं...

उपसभाध्यक्ष (श्री जगेश देसाई) : लास्ट पाइंट ।

श्री राम अवधेश सिंह : महोदय, यह कानून बहुत अच्छा है और इसलिये शुरू में मैंने मंत्री महोदय को बधाई दी थी । आपको शायद अंदाजा नहीं है, लेकिन हम नेपाल बार्डर पर रहते हैं और हम जानते हैं कि वहां पर कितनी चीजें भारत में तस्करी से आती हैं । वहां पर इतनी तस्करी होती है जिसका कोई हिसाब नहीं है । उसमें छोटे आदमी ही पकड़े जाते हैं, जो बड़े स्मगलर हैं, जो मुख्य अपराधी हैं वे खुद नहीं जाते, ये बड़े-बड़े एयर कंडीशन्ड कमरों में बैठे रहते हैं और ये टेलीफोन और वायरलैस के जरिये इस तरह का अपराध करते हैं । और जो ब्यूरोक्रेसी के बड़े-बड़े लोग हैं, धुरन्धर लोग हैं यह लोग अपराधियों से मिल कर उनकी रकम बंधी रहती है और उस बधी हुई रकम से यह सारा काम होता है । मैं आपके माध्यम से बहुत नम्रतापूर्वक पूरी भारत सरकार से यह मन्त्री जी तो इस विभाग के हैं ही लेकिन मैं पूरी भारत सरकार से निवेदन करना चाहता हूं कि क्या इस स्थिति को यह सरकार रोक सकेगी या नहीं रोक सकेगी । यह पकड़ लेते हैं तो उसी को जो दो ठो साड़ी ले कर आता है या कोई डेढ़ दो सौ रुपये का कैमरा ले कर आता है लेकिन जो बड़े बड़े स्मगलर हैं वे भी यहां से पैसे ले जाते हैं उनको नहीं पकड़ते हैं । स्विटजरलैंड में ऐसा है कि वहां पर भारतीय करेंसी भी जमा हो जाती है लेकिन दूसरे देशों के बैंकों में भारतीय करंसी जमा नहीं हो सकती क्योंकि उसको पहले कनवर्ट करना पड़ेगा डालर में या पौंड में या येन में या फ्रैंक में । तो स्विटजरलैंड का जो बैंक है चूंकि वहां पर लोग यहां से सूटकेस में रुपया ले कर जमा कर सकते हैं तो उस में रोक लगाने में भारत सरकार सक्षम है या नहीं । (**समय की घंटी**)

उपसभाध्यक्ष (श्री जगेश देसाई) : यह ठीक नहीं है । आपको चार मिनट का समय था लेकिन अब 14 मिनट हो गये हैं ।

श्री राम अवधेश सिंह : मैंने बहुत महत्वपूर्ण बात से अवगत कराया है । एक मिनट मैं और लूंगा । यह बहुत खतरनाक बात है जो हो रही है । इससे अर्थव्यवस्था डिस्टेब्लाइजड हो सकती है । आप नेपाल के बार्डर पर जाइये वहां पर खाली चीजों की ही स्मलिंग नहीं हो रही है बल्कि वहां पर यदि आप 20 हजार रुपये की इण्डियन करेंसी देंगे तो वहां से नये नोट एक लाख रुपये के आपको दे दिये जाएंगे । मतलब यह है कि जो आपके विपक्ष के देश है वे इण्डियन करंसी के नोट छपवा कर हमारी अर्थव्यवस्था में इनफ्लेशन लाने के लिए अर्थव्यवस्था को चौपट करने के लिए षड्यंत्र कर रहे हैं । 20 हजार रुपये आपसे ले लेंगे हमारी करंसी के जिसके पीछे गोल्ड रिजर्व है और एक लाख रुपये दे देंगे जिस के पीछे कोई गोल्ड रिजर्व नहीं है । मेरा यह निवेदन है कि इस बात की जांच होनी चाहिए और इस पर कड़ाई से रोक लगानी चाहिये नहीं तो सारी अर्थ-व्यवस्था चौपट हो जाएगी इसलिए मैं यह कहना चाहता हूं कि इस सरकार की कोई विल नहीं है ।

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Mr. Vice-Chairman, I have a point of order which is very simple. The Business Advisory Committee specifies a time-limit for a discussion on a Bill or otner business and on the basis of that the timing is fixed. It is not the duty of the Chair alone but of the Members

[Shri Ghulam Rasool Matto]

also to adhere to the time-limit so that every Member gets an opportunity to speak.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): That is why I say that they should cooperate. Yes, Mr. Kalpnath Rai.

श्री कल्पनाथ राय (उत्तर प्रदेश) : उपसभाध्यक्ष महोदय, ...

श्री राम अवधेश सिंह : एक प्वाइंट मुझे अभी रखना है ।

उपसभाध्यक्ष (श्री जगेश देसाई) : नहीं ।

श्री राम अवधेश सिंह : नहीं तो क्लेरीफिकेशन के वक्त मुझे मौका दिया।

उपसभाध्यक्ष (श्री जगेश देसाई) : नहीं । श्री कल्पनाथ राय अब बोलेंगे ।

श्री कल्पनाथ राय : आदरणीय उपसभाध्यक्ष महोदय, विदेशी मुद्रा संरक्षण और तस्करी निवारण (संशोधन) विधेयक, 1987 जो सरकार ने प्रस्तुत किया है हम उसका समर्थन करते हैं । विपक्ष की तरफ से लगातार पिछले महीनों से सरकार के ऊपर भ्रष्टाचार के आरोप लगाए जा रहे हैं । राजनीति का मुख्य मुद्दा चरित्र हत्या हो गया है । मैं इस सदन के माध्यम से देश की जनता को बतलाना चाहता हूं कि हिन्दुस्तान में तस्करों, जमाखोरों, काला-बाजारियों, ब्लैक मार्किटियर्स और स्मगलरों के खिलाफ जितनी कार्यवाही कांग्रेस की सरकार ने की है उतनी इतिहास में किसी भी सरकार ने नहीं की है । 1976-77 के दिन याद रखिये जब श्रीमती इन्दिरा गांधी ने टैक्स चोरों और आर्थिक अपराधियों के खिलाफ युद्ध स्तर पर अभियान किया था लेकिन जनता सरकार सत्ता में आई सारे टैक्स चोरों, आर्थिक अपराधियों, तस्करों, हाजी मस्तानों, वाखिया आदि सब को सम्पूर्ण क्रान्ति में समेट लिया और सब को जेलों से रिहा किया और सारे राष्ट्र के पैमाने पर तस्करी को और भी बढ़ाया । क्या जनता सरकार बतला सकती है कि उसने अपनी तीन वर्ष की हुकूमत के कार्यकाल में कौन सी कार्यवाहीं तस्करों या आर्थिक अपराधियों के खिलाफ की, यह मैं जानना चाहता हूं । राजीव गांधी की सरकार 1984 में आती है । राजीव गांधी ने सत्ता में आने के बाद आर्थिक अपराधियों के खिलाफ, तस्करों के खिलाफ, टैक्स चोरों के खिलाफ अभियान शुरू किया . . .

SHRI PUTTAPAGA RADHAKRISHNA (Andhra Pradesh): On a point order.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); No, no, he is speaking on the subject. No point of order. Please Sit down.

SHRI PUTTAPAGA RADHAKRISHNA: How can a point of order be denied to me I will take half a minute. My point of order would have been completed by now.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I am listening very carefully. He Is talking about the subject. No question *of* a point of order.

श्री कल्पनाथ राय : आर्थिक अपराधियों के खिलाफ अभियान छेड़ा और 84-85, 85-86 के अंदर, दो वर्ष के अंदर हिन्दुस्तान के टैक्स चोरों और आर्थिक अपराधियों के खिलाफ जितनी कड़ी कार्यवाही राजीव गांधी की सरकार ने की . . .

श्री राम अवधेश सिंह : विश्वनाथ प्रताप सिंह ने की ।

उपसभाध्यक्ष (श्री जगेश देसाई) : उनको बोलने दीजिए । No interruption, please. He did not interrupt you when you were speaking.

श्री कल्पनाथ राय : राजीव गांधी प्राइम मिनिस्टर हैं । प्रधान मंत्री की कैबिनेट फैसला करती है कि हमारी यह पालिसी है और इस पालिसी के तहत हमारी कैबिनेट के लोगों को काम

करना होगा । राजीव गांधी की मर्जी के खिलाफ पत्ता नहीं हिल सकता है यह जानने की कोशिश कीजिए और उनकी नीति ... (व्यवधान)

उपसभाध्यक्ष (श्री जमेश देसाई) : आप यों सोच में पड़े हैं ।

श्री कल्पनाथ राय : उसी तहत इन अपराधियों के खिलाफ पूरे हिन्दुस्तान के अंदर इतना बड़ा अभियान किया गया जिसका इतिहास में कोई प्रमाण नहीं है । लेकिन हमारे विरोधी दल के लोग उन्हीं आर्थिक अपराधियों की ताकत से खुद इस सदन के अंदर और देश के अंदर एक भ्रष्टाचारी तथा चरित्र हत्या का माहौल पैदा कर रहे हैं। 1974 से 77 तक यही काम हिन्दुस्तान के विरोधी दल के नेताओं ने किया । जब वे खुद सत्ता में आ गये तो सम्पूर्ण क्रांति के नाम पर क्रान्ति देसाई, मोरारजी देसाई, चौधरी चरण सिंह, चिमन भाई पटेल और उनके परिवार का भ्रष्टाचार इस पार्लियामेंट के सामने आया तो उन पर जांच कमीशन भी बनाने को तैयार नहीं हो रहे थे ।क्या मिला जब श्रीमती इंदिरा गांधी पर 20 जांच कमीशन बैठाये, जितनी भी यंत्रणाएं दी जा सकती थी सब दी गयी । मुर्गी चोरी तक । लज्जा और शर्म की बात है कि देश की प्रधान मंत्री के उपर इस तरह के मुकदमे कायम किये गये । 20 कमीशन बैठाने के बाद भी एक भी आरोप साबित नहीं हुआ । सन 1980 में श्रीमती इंदिरा गांधी जब सत्ता में आई, उनके सत्ता में आने के बाद मैं उनसे मिला, मैंने कहा चौधरी चरण सिंह, मोरारजी देशाई क्रांति देसाई, बीजू पटनायक, चिमनभाई पटेल जैसे भ्रष्टाचारी और जनता सरकार ने इतने जुल्म और ज्यादतियां की हैं, इनके खिलाफ तुरंत कमीशन आफ इन्क्वारी बैठाइये क्योंकि वैद्यलिंगम कमीशन ने इनके खिलाफ फाइंडिंग दी है । श्रीमती इंदिरा गांधी ने कहा कल्पनाथ ... (व्यवधान)

श्री राम अवधेश सिंह : जो सदन में आकर जवाब नहीं दे सकते हैं । जिन लोगों को जवाब देने का मौका नहीं मिलेगा उनके खिलाफ... (व्यवधान)

उपसभाध्यक्ष (श्री जमेश देसाई) : मैं सुन रहा हूं ।

श्री कल्पनाथ राय : श्रीमती इंदिरा गांधी ने कहा कल्पनाथ तुम क्यों भूल जाते हो कि चौधरी चरण सिंह और मोरारजी देसाई ने सात ताले के अंदर चारदिवारी में तिहाड़ जेल में मुझे बंद किया था लेकिन मैंने चौधरी चरणसिंह के जन्म दिवस पर जेल में ही से दो फूल भेजे थे । हमारी पार्टी का सिद्धांत इस देश में जनतंत्र कायम रखना है । इस मुल्क में जनतंत्र नहीं रहेगा और चरित्र हत्या को राजनीति को हम करेंगे ।

विरोधी दल के नेताओं ने आरोप लगाया कि बीजू पटनायक भ्रष्टाचारी है लगातार 6-12 महीने तक पार्लियामेंट में बहस होती रही। जब श्रीमती इंदिरा गांधी ने बीजू पटनायक को कांग्रेस से निकाल दिया तो जनता सरकार ने उनको कैबिनेट का मंत्री बना दिया । चिमन भाई पटेल...

श्री राम अवधेश सिंह : एक ही भाषण बार बार इनका होता है ।

श्री कल्पनाथ राय : एक ही भाषण नहीं होता है ।

श्री कल्पनाथ राय : उपसभाध्यक्ष जी, एक ही भाषण नहीं होता है । चिमनभाई पटेल जिनको भ्रष्टाचार के मामले में श्रीमती इंदिरा गांधी जी ने कांग्रेस से निकाला, तो लोक दल ने उसको अपना अध्यक्ष बना दिया, जनता पार्टी ने उनको अपना अध्यक्ष बना दिया और आज चिमनभाई पटेल बड़ोदरा विश्वनाथ प्रताप सिंह से मीटिंग कर रहा है और विश्वनाथ प्रताप सिंह, विद्याचरण शुक्ल, अरूण नेहरू चिमनभाई पटेल की ताकत से ही हिन्दुस्तान में भ्रष्टाचार मिटाना चाहते हैं ।

उपसभाध्यक्ष जी, मैं आपसे बतलाना चाहता हूं--रिकार्ड बतायें आप अपना 1977 से 1980 तक का..(व्यवधान)

: SHRI P. BABUL REDDY (Andhara Pradesh): He has become so popular due to you!.. (*Interruptions*) ....

श्री कल्पनाथ राय : 1977 से 1980 के अंदर रिकार्ड बनावें जनता सरकार और सारे विरोधी दल के नेता कि आर्थिक अपराधियों के खिलाफ आपने कौनसी कार्यवाही की और किसके खिलाफ कार्यवाही की ? मैं हर वक्त बहस करने के लिए तैयार हूं ।

श्री राम अवधेश सिंह : एक हजार, पांच हजार और दस हजार के नोट हम लोगों ने ही बंद किया था और आर्थिक अपराधियों की कमर टूट गई थी । **(व्यवधान)**

श्री कल्पनाथ राय : मैं कहना चाहता हूं राजीव गांधी की सरकार ने आर्थिक अपराधियों के खिलाफ इतनी कार्यवाइयां की--अभी बोफोर्स पर बहस हुई, पार्लियामेंट कमेटी बनी । पन्द्रह दिन बहस हुई, बहस में आपने पूरी हिस्सेदारी ली, प्रधान मंत्री ने पार्लियामेंट कमेटी बनाई पर आप उसका बहिष्कार करते हैं। आप हिन्दुस्तान में जनतंत्र को कहां चलने देना चाहते हैं ? आप जैसे चरित्र हत्यारे कभी हिन्दुस्तान में -- और लिख लेना बापू कालदाते मैं आपके सामने कह रहा हूं कि राजीव गांधी की हुकुमत कम से कम हिन्दुस्तान के प्रधान मंत्री अभी आज से 15 साल रहेंगे, तुम्हारी कोई हैसियत नहीं है कि तुम उनका बाल बांका कर सकते हो ।

डा० बापू कालदाते (महाराष्ट्र) : यह बाहर के लोग कहेंगे .. **(व्यवधान)**

श्री राम अवधेश सिंह : अगर आप के प्वाइंट पर चलना हो, तो पचास साल चलेंगे, लेकिन जनता पर चलेंगे, तो नहीं चलेंगे ।

उपसभाध्यक्ष (श्री जगेश देसाई) : आपको मौका मिलेगा, तो कहिए ।

श्री कल्पनाथ राय : मैंने तुम्हारी सरकार को तोड़फोड़ कर नष्ट कर दिया था, तुमको याद होगा । तुम्हारी क्या हैसियत है... **(व्यवधान)**

कांग्रेस पार्टी के नेतृत्व में हिंदुस्तान में जनतंत्र आया, चालीस साल से जनतंत्र का चिराग जल रहा है । हमारे ऊपर जिम्मेदारियां राष्ट्रव्यापी है । हमें सारे संसार के अंदर सब से बड़ी जनतंत्र की व्यवस्था को कायम रख कर चलना है ।

मैं आपसे एक बात कहना चाहता हूं कि आर्थिक अपराधियों के खिलाफ जब अभियान चलने लगा, तो राजीव गांधी के ही मंत्रीमंडल के एक सदस्य ने बिना कैबिनेट को कान्फिडेंस में लिये, कलैक्टिव रेस्पांसिबिलिटी के सिद्धांत के खिलाफ ओथ आफ सीक्रेसी के खिलाफ फेयरफैक्स एक फारेन एजेन्सी की नियुक्ति को... **(व्यवधान)**

श्री राम अवधेश सिंह : सारे चोरों को पकड़ने के लिए किया था ।

श्री कल्पनाथ राय : मैं कहना चाहता हूं कि फेयरफैक्स एक अमरीकन सी० आई० ए० लिंक्ड फेयरफैक्स एजेन्सी को नियुक्ति की, बिना प्रधान मंत्री को बताये, बिना कैबिनेट को कान्फिडेंस लिये, ओथ आफ सीक्रेसी का उल्लंघन करते हुए । जब यह हमारे सामने आया मैं पूछना चाहता हूं जनार्दन पुजारी जी से पूछना चाहता हूं कि फेयरफैक्स एजेन्सी की नियुक्ति हुई, तो हर्षमैन, सी० आई० ए० लिंक्ड फेयरफैक्स एजेन्सी को नियुक्ति भारत सरकार ने की उस एजेन्सी की नियुक्ति में पैसा दिया गया, वह पैसा क्या भारत सरकार ने दिया, क्या वह पैसा सी० आई० ए० ने दिया ? यदि भारत सरकार ने पैसा दिया, तो क्या रिजर्व बैंक ने परमिशन दिया ? क्या फेयरफैक्स एजेन्सी को बनाने के लिए कोई पैसा दिया गया या विश्वनाथ प्रताप सिंह ने विदेशी नागरिक नस्ली वाडिया को चार लाख डालर का पेमेंट करवाया, मैं यह पूछना चाहता हूं ?

डा० बापू कालदाते : जनार्दन पुजारी से पूछिये ।

श्री कल्पनाथ राय : मैं तुमसे पूछना चाहता हूं । तुम बतलाओ, मैं तुम से पूछना चाहता हूं ।

(*Interruptions*)

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) This is very relevant.

श्री कल्पनाथ राय : मैं आपसे निवेदन करना चाहता हूं –मुझे कहा गया है कि भारत सरकार द्वारा फेयरफैक्स की इन्वेस्टिगेशन हुई – हर्षमेन जो ग्यारह साल तक अमरीका की डिफेंस इंटेलिजेंस का मेम्बर रहा है, जो नौ वर्ष तक हिंदुस्तान में सी० आई० ए० का डाइरेक्टर रहा है, हर्षमेन जो अमरीका में वाटरगेट कांड की जांच जिसने की और फेयरफैक्स जैसी जिसमें 90 प्रतिशत इम्प्लीकेशन्स सी० आई० ए० के हैं, हर्षमेन जो लगातार स्वीडन में हर हफ्ते आता रहा है वह हर्षमेन और उसको पेमेंट कहां से हुआ ? कोई भी विदेशी एजेंसी बिना पैसे के, बिना फारेन एक्सचेंज के काम नहीं करेगी। मैं पूछता हूं कि वह पैसा कहां से दिया गया? गवर्नमेंट आफ इंडिया कहती है कि फेयरफैक्स जैसी कि नियुक्ति विश्वनाथ प्रताप सिंह ने की, अथारिटी लैटर गवर्नमेंट आफ इंडिया ने दिया, तो विदेशी की एजेंसी ने बिना पैसे के तो कोई जांच नहीं की। (**व्यवधान**)

3 P.M.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): He is speaking on the subject.

श्री कल्पनाथ राय : आदरणीय उपसभाध्यक्ष महोदय, सरकार के रिकार्ड में है कि रिजर्व बैंक से कोई परमिशन नहीं ली गई। हिन्दुस्तान की इंटेलीजेंस एजेंसी से कोई राय नहीं ली गई। कोई पेमेंट नहीं किया गया तो क्या सी. आई. ए. ने पेमेंट किया फेयर फैक्स एजेंसी का, लेकिन कहा जाता है कि फारेन नेशनल नस्लीवाडिया जो विदेशी नागरिक है उसने चार लाख डालर विश्वनाथ प्रताप सिंह के कहने पर हर्षमेन फेयरफैक्स को पेमेंट किया . . . (**व्यवधान**)

उपसभाध्यक्ष (श्री जगेश देसाई) : एक मिनट, बिना नाम लिए बोलेंगे तो अच्छा रहेगा क्योंकि he is not defending himself.

श्री कल्पनाथ राय : आदरणीय उपसभाध्यक्ष महोदय अशोक जैन का नाम ले रहे थे, क्या आपने मना किया ? नस्लीवाडिया क्या है ? आदरणीय उपसभाध्यक्ष महोदय, जो तथ्य है उसे मुझे कहना पड़ेगा। यह चार लाख डालर का पेमेंट नस्लीवाडिया फारेन नेशनल के माध्यम से किया गया। नस्लीवाडिया ओबेराय होटल में ठहरा, हर्षमेन अमरीका से आकर ओबेराय होटल में ठहरा। दोनों विश्वनाथ प्रताप सिंह से लगातार चुपके-चुपके मिलते रहे और सी० आई० ए० से साजिश करके राजीव गांधी के तख्त को पलटने के लिए विश्वनाथ प्रताप सिंह ने साजिश की है। आदरणीय उपसभाध्यक्ष महोदय, मैं मांग करता हूं भारत सरकार से कि विश्वनाथ, नस्लीवाडिया* को गिरफ्तार किया जाए और इनको गिरफ्तार करने के बाद इंटेरोगेट किया जाए फोरन एक्सचेंज वायलेशन के अंतर्गत।

For the violation of F.ER.A. Mr. V. P. Singh should be arrested. How he managed the payment of $4 **lakhs** to Mr. Hershman? *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Those are his views. The Minister will reply to him. Why do you object? You cannot stop him from speaking like this. Mr. Kalp-nath Rai, please go ahead.

SHRI KALPNATH RAI: Mr. V. P. Singh should be arrested for violation of F.E.B.A.

SHRI JASWANT SINGH (Rajas-than): Mr. Vice-Chairman, Sir, not for a moment wasting the time of the House I would enjoin upon you to consider whether the names of civil servants who are not Members of this House should be taken. (Interruptions). Names of industrialists may be taken, it is your discretion, but not **the** names of civil servants who are still in service. An appeal has been made.. *(Interruptions).*

श्री कल्पनाथ राय : अरे, नाम ये लोग खुद लेते हैं। आदरणीय उपसभाध्यक्ष महोदय, अगर कोई सिविल सर्वेंट राष्ट्रद्रोह करेगा, जनद्रोह करेगा, विश्वासघात करेगा तो उसको गिरफ्तार किया जायेगा।

*Expunged as ordered by the Chair.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): He cannot give the name of any civil servant and say that he has done this kind of corrup tion. But he can demand his arrest and I think that cannot be objected to ___ *(Interruptions)*

श्री सत्यपाल मलिक (उत्तर प्रदेश): हमको भी यह निवेदन करने का अधिकार है कि सरकार गिरफ्तार करे। **(व्यवधान)**

श्री कल्पनाथ राय : आदरनीय उप-सभाध्यक्ष महोदय, मझे बोलने नहीं देते हैं।

उपसभाध्यक्ष (श्री जगेश देसाई): आपका यह जो समय गया होगा वह समय मैं आपको दूंगा ।

श्री राम प्रवधेश सिंह : इनका समय तो खत्म हो गया।

उपसभाध्यक्ष (श्री जगेश देसाई): नहीं, वह मैं देखता हूं।

SHRI JASWANT SINGH: Mr. Vice-Chairman, Sir, pronouncement., from the Chair have a consequential effect for future debates as well. Your pronouncement is a pronouncement which will become the convention of this House*

SHRI B. L. PANWAR (Rajasthan): I have a point of order from this side.

DR. BAPU KALDATE; Let him finish.

SHRI B. L. PANWAR A point of order on a point of order.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I will give you an oppoitunity. Let him complete now.

SHRI B. L. PANWAR: But the way in which he is addressing the Chair.. (*Interruptions).*

SHRI JASWANT SINGH; Sir, the pronouncements from the Chair will become the property of this House. They will become future conventions. You have just ruled that a Member can demand somebody's arrest. En regard to Civil Servants, by convention, we do not refer to them by name because if Civil Servants are unable to arrive here and, defend themselves, it becomes the reponsibility of the Treasuiy Benches because Civil Servants are their Officials. I do request you to reconsider this.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I will say whether it is ____*(Interruptions)*

SHRI PUTTAPAGA RADHAKRI-SHNA: Point of order.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I am giving a ruling on that.

SHRI PUTTAPAGA RADHAKRISHNA: Not on this. I am on a different point.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); If, according to the conventions of the House, such names cannot be given, it will be examined and if so, it will be expunged. *(Interruptions).* Thene cannot be a point of order on the ruling given by me.

SHRI PUTTAPAGA RADHAKRISHNA; My point of order is not on the ruling of the Obair. *(Interruptions)* .

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): No, please sit down.

SHRI PUTTAPAGA RADHAKRISHNA: I have some other point of order.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) No I would like to know if you want to raise a point of order on the speech.

SHRI PUTTAPAGA RADHAKRISHNA: It is on the speech only.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I am not allowing you.

श्री कल्पनाथ राय : आदरणीय उप-सभाध्यक्ष महोदय, मैं आपसे फॉरेन एक्सचेंज की बात कर रहा था। यह बड़े-बड़े लोग दिन-रात सोते-जागते, राजीव गांधी का नाम लेते है और यहां बोलते हैं.... (व्यवधान)

श्री राम अवधेश सिंह : वह सरकार के मुखिया हैं।

उपसभाध्यक्ष (श्री जनेश देसाई) : जब आप बोल रहे थे तो कल्पनाथ राय जी बीच में नहीं बोले। आप भी कृपया न बोलें।

श्री कल्पनाथ राय : फारेन-एक्सचेंज वाली बात कहता हूं और मैं पूछना चाहता हूं कि श्री विश्वनाथ प्रताप सिंह ने अपने बेटे की सिटी बैंक न्यूयार्क में नियुक्ति कराई या नहीं ? 1 लाख 62 हजार रुपया महीना पर वित्त मंत्री होते हुए उन्होंने अपने बेटे की नियुक्ति सिटी-बैंक में कराई सन् 1986 में। इसके बाद जनवरी, 1987 में नोन-रेजिडेंट इंडियन्स की हैसियत से रिलायन्स के शेयर खरीदे या नहीं ? सन् 1986 में सिटी बैंक में 1 लाख 62 हजार रुपये महीना पर श्री विश्व-नाथ प्रताप सिंह ने अपने बेटे की नियुक्ति कराई और एक महीने के बाद रिलायन्स के शेयर नोन-रेजिडेण्ट इंडियन्स की हैसियत से लाखों-लाख शेयर परचेज किए। यह फोरेन-एक्सचेंज कहां से आया ? वित्त मंत्री को फॉरेन-एक्सचेंज कहां से आया ? और अमरीका के सिटी-बैंक में नौकरी करते हुए अपने बेटे का एड्रेस लंदन दिखाया, नोन रेजि-डेण्ट इंडियन, लंदन और शेयर खरीदे 900 अपने नाम और 900 शेयर अपनी पत्नी के नाम, 900 शेयर अजय सिंह के नाम और 900 शेयर प्रीति कुमारी सिंह के नाम, 1800 शेयर नोन-रेजिडेण्ड इंडि-यन्स की हैसियत से खरीदे या नहीं ? मैं आपसे जानना चाहता हूं कि यह जो शेयर खरीदे हैं इसके लिए पैसा फारेन एक्सचेंज कहा से आया ? उसका स्रोत कहां से आया ?

I want to know the source of foreign exchange for him.

Shri Vishwanath Pratap Singh purchased Reliance shares. His son, his daughter-in-law purchased. I will ask this question to you

आदरणीय उपसभाध्यक्ष महोदय, तीसरी बात मैं कहना चाहता हूं फाइनेन्स सेक्रेटरी, वित्त सचिव ने, विरोधी दल के सभी नेताओं से कह देता हूं, कि यहां तो बड़ी लंबी-चौड़ी बातें कहते हैं, आज पालिया-मेंटरी एक कमेटी की जांच बैठ जाय, जिसमें सभी विरोधी दल के नेता रहें, कांग्रेस पार्टी नहीं रहेगी और विश्वनाथ प्रताप सिंह के भ्रष्टाचारों की जांच वह कमेटी करे। अगर वह भ्रष्ट साबित नहीं होंगे तो मैं पोलिटिक्स छोड़ के चला जाऊंगा। क्या बात करते हो। आदरणीय उपसभाध्यक्ष महोदय, विरोधी दल के लोगों ने एक सप्ताह तक उत्तर प्रदेश विधान सभा को नहीं, चलने दिया – लोकदल ने, जनता पार्टी ने, सी०पी०एम० ने, सी० पी०आई० ने चलने नहीं दिया। आज मैं कहता हूं विरोधी दलों से कि आप जांच कराओ– विश्वनाथ प्रताप सिंह के भ्रष्टाचार की, दहिया ट्रस्ट की जांच कराओ, राम जानकी ट्रस्ट की जांच कराओं, सारे फारेन एक्सचेंज के वायलेशन की, रिलायंस के शेयर परचेंज की, उनके बेटे की सिटी-बैंक न्यूयार्क में नियुक्ति कैसे हुई, कैसे सी० आई०ए० से लिंक हर्षमेन की नियुक्ति कराई। इन सारे मामलों की जांच कराई जाये। उपसभाध्यक्ष म हो-दय, विदेशी मुद्रा नियम का भारी उल्ले-न किया गया है। उपसभाध्यक्ष महोदया, विदेशी नागरिक नसिलवाडिया, सी०आई० ए० से लिंक हर्षमेन और सारे उनके एजेंट और हिन्दुस्तानी जेंट श्री राजीव गांधी का तख्ता पलटना – चाहते थे। इन सारे मामलों की जांच करायी जानी चाहिए। उपसभाध्यक्ष महोदय, नस्लीवाडिया जिसके माध्यम से विश्व-नाथ प्रताप सिंह ने 4 लाख डालर का-पेमेंट हर्षमेन को कराया, उसको तुरन्त गिरफ्तार किया जाय ताकि देश की जनता के सामने यह सारी बातें आ सकें। आदरणीय उपसभाध्यक्ष महोदय, आखिरी बात मैं कह कर खत्म करूंगा –

Mr. Piloo Mody once narrated a conversation with Bhutto. Bhutto told him: "I committed a mistake by going to war with India. The best way to finisa India is to launch economic aggression. All I have to do is to subvert your economy and ruin you politically and economically."

[श्री कल्पनाथ राय]

उपसभाध्यक्ष महोदय, हमारा हिन्दुस्तान जोकि पाकिस्तान के बार्डर से, बंगलादेश के बार्डर से, बर्मा के बार्डर से और चारों तरफ से समुद्र से घिरा हुआ है, उसमें तस्करों ने 42 सौ करोड़ रु० का सोना स्मगल किया है। वेस्टाइल फ इवर्स सिवेंटिस्स को स्मगल कर रहे हैं। इन सारे कामों के खिलाफ सरकार ठीक से, समयबद्ध कदम उठाए ताकि आर्थिक अराजकताओं से मुक्त होकर हम राष्ट्र में राजनीतिक स्थिरता को कायम रख सकें। धन्यवाद।

SHRI GURUDAS DAS GUPTA (West Bengal): Mr. Vice-Chairman, I understand the exuberance of the overzealous Members in upholding and defending the politi--cal" personalities belonging to their own political parties but I will only caution the elders of this House that if all the debates here degenerate into character assassination and mudslinging, that is sureoly going to affect the yery fabric of the Indian democracy. Shri Vishwanath Pratap Singh only yesterday was the Minister of Finance and a trusted' lieuten'ant of the Prime Minister. If Members of Parliament had any charges against him, he should have been, dealt with according to the provisions of- law much before. The Case of violation should not. be taken as a trump card to be used after the man goes out of the party or is thrown out of the party. I call upon the Government to institute an inquiry against- anybody, whoever he may be, whatever his position may be and to whichever party he may belong. As for myself, as for my party, as for Members of the Opposition, we are ready to face any inquiry. And I also believe and feel that Shri V. P. Singh also will be too glad to face any impartial inquiry. Let them institute any inquiry, whatever they like. Let them institute any inquiry, whatever they like.

SHRI VTSHVJIT PRTTHVTJiT SINGH (Maharashtra): Against me you can have inquiry. *(Interruptions).*

SHRI ASHWANI KUMAR (Bihar); Not against this V. P. Singh, but against the other V. P. Singh. *(Interruptions).*

SHRl GURUDAS DAS GUPTA: The point is that democracy should be allowed to function and decency, dignity and certain standard of behaviour have to be ensured in public life. It is not only for the Ministers, but it is also for the Members of Parliament, it is also for the parliamentary system 'and also for the parliamentary democracy. If we do not want India to become another example °f erosion of democracy as it has happened in Pakistan, if we do not want Indian democracy to be jeopardized in the way in which democracy has been jeopardized in Sri Lanka, and if we do not want Indian democracy to be really eroded, then the people should act, the people should speak and the people should behave with a little amount of responsibility and with a little amount of confidence. If you have any evidence against Mr. V. P. Singh, prosecute him; if you have 'any evidence against any of us, prosecute us. We want merciless eriforcemment of law, sir. The Opposition does want, the Communist Party does want, the merciless enforcement of law, enforcement of law indiscriminately without fear or without favour. Mr. V. P. Singh is no exception and no party should be an exception including the person who has been speaking SO vociferously just now and he should also be no exception. But, unfortuantely, the tragedy of the Indian situation is that the enforcement of law has been too weak. We have not been enforcing the law properly. If you like, I will give you an example. May I tell you as to what happened to Mr. Thapar? Mr. V. P. Singh konws much more than what we know. Mr. Thapar had written a letter to the Government admitting violation of law. He has admitted smuggling of funds outside the country and he has admitied that on sixteen counts he had violated law. He was only too Dleased to give an assurance to the Government not to violate the law in future and .therefore, he was released. But the Government did not take steps to realise the money. What .happened then? The Supreme Court gave an unambiguous judgment indicting the Government and saving that they had no powers to release Mr. Thap'ar and that the law should have taken its own course. The indictment by the Supreme Court in its judgment clearly proves that the enforcement of law

in the country is not without discnmnation, but it is only discriminatory. Therefore, let us expect that the Government will act in an indiscnminale way. So far as th-Opposition is concerned, we want the law to be enforced strictly, we want the anions of justice to be followed, we want no favour and we also do not expect the Government to act in fear. Then why -this Bill? Why has Mr. Janardhan Poojari taken the responsibility of introducing this amendment? Why? You have an Act and you have more such powers in the hands of the executive. May 1 ask, Sir, whether it is true that smuggling has been discontinued? Is it true that smuggling has decreased? Is it true that smuggling has declined? Now, what does the report of the World Bank say? According to the report of the World Bank, every year, about Rs. 1,200 crores are deposited in the banks of Switzerland, in the banks of Hong Kong. How is it possible? I don't suppose that you can 'accuse the World Bank of being generous towards the opposition here. This is the report of the World Bank. What about the Kaldar Committee Report? What about the Rubrequent report of the Reserve Bank of India? What is the total amount of black money in the country and outside? It is not less than fifty thousand crores of rupees! How is it that so mu'jh of black money has been generated? How could that much of black money be generated? Smuggling has been the main base for, and has been the main source of, generation of black money in the country. Not only smuggling, but violation of law is also there. Violation of law generally remains the source of generation of black money in our country. Therefore, Sir, there has been no enforcement or very little enforcement of the raw. There is no enforcement or lack of enforcement because the machinery that you have built up is corrupt. The machinery as built up is itself corrupt. The machinery acts in fear. The machinery does not act because it seeks favour. That is the unfortunate situation. Therefore, Sir, it is expected that the Government shall take action and steps positively in the direction of application of law in this domain.

I give you a nexample. If you speak of smuggling, I will ask MR. Poojari to visit any shop in Delhi just a few kilometres away from here. Just walk into any ihop and ask lor a loregn watch, fore.gn perfume or something foreign. Will you get it Is it available? Smuggled goods are 'available in abundance under the very nose of the Prime Minister and the Government. How is it? How it happens? Therefore, smuggling is legalised in the country because enforcement machinery does not work. I don't believe that the Government does not know the sources of smuggling. What is Bombay port? What are Bombay highways? What is Indo-Nepal border? What is Goa? Having a long border in this country, we are having a very easy smuggling process operating in this country. Why this smuggling? It is because there is an unholy collusion between the smugglers and political parties, smugglers and political leaders, and all those who are supposed to enforce law. If you cannot break this collusion, if you cannot break this nexus, you cannot apply the law. Application of law is bound to be discriminatory. Shail I give another example?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Please conclude now.

SHRl DIPEN GHOSH: When he says Members of Parliament, it includes him also.

SHRI GURUDAS DAS GUPTA: Should I name them? It is an open secret. Should I produce the photograph showing him along with the smugglers? It is unknown to you, Sir, that Haji is keeping company with the political leaders of Mantfashtra? Is it unknown?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): It is unknown to me.

SHRI GURUDAS DAS GUPTA Of course, the Members belonging to that side are more in number. Anyway, I don't go into that controversy. Who can deny that Who does not know? Who does not know that law is observed in default? Who does not know that on a number of' occasions...

♦Expunged as ordered by the Chair.

SHRI VISHVJIT PRITHVIJIT SINGH: On a point of order, Sir, Mr. Vice-Chairman, Sir, I take strong objection to the hon. Member's reference to the Members of Parliament from Maharashtra and political leaders from Maharashtra. I take very strong objection to it. He says that Haji is in league with the political leaders of Maharashtra. 1 would like those words to be expunged from the record. I want la
ruling on this.

THE VICE-CHAIRMAN (SHRl JAGESH DESAI): Please sit down. He made a general statement. He made a general statement on the politicians of Maharashtra. He never named anybody nor any party. It may be applicable to anybody. So, the question of point of order does not arise.

SHRI DIPEN GHOSH: Heis not a politician of Mahafashtra; he is a politician of India.

SHRI VISHVJIT PRITHVIJIT SINGH: You seem to forget that this happens to be the Council of States.

SHRI GURUDAS DAS GUPTA: Sir while paying my deep respect to you for giving this ruling, I would only expect that the Members of Parliament will not confine themselves to the State from which they arc elected to this House.

Therefore, Sir, what I am stressing is the unholy alliance between the politicians and the smugglers. Can anybody deny that it is with political patronage That black money is in the rise? Can anybody deny that it is with political patronage that the enforcement law has become a mockery today? Can anybody deny that it is with political p'atronage that kick-backs ate taking place in the country? Therefore, Sir, the point is, the most important task before the nation if the nation is to sur-vive, if the democracy is to survive is to break the nexus. And to break the nexus it is important that the Administration becomes impartial that the law is indiscrimi-natly applied, that the Government institutes enquiries irrespective of the fact whether the charge is brought against Mr. V. P. Singh or against Mr. Kalpnafh Rai or against Mr. Gurudas Das Gupta or anybody else. Therefore, What I take exception to is this; Mr. Kalpnath Rai is taking the opportunity to levei charges against Mr. V. P. Singh when he is absent in the House and he takes this opportunity to malign him. Let the Government take ac. tion. The Opposition will be one with the Government if an impartial enquiry is instituted. And Sir, this is a challenge to the Speaker who has spoken just now this is a challenge to the party he belongs to.

SHRI V. GOPALSAMY (Tamil Nadu): Mr. Vice-Chairman, Sir, according to the Raja Chelliah Committee Report, every fifth rupee transacted in India is black. The Re-port found that 64 per cent of the respondents to the study classified smuggling and under and over-inviocing in foreign trade as the most important reason for black money. Over 50 per cent of the respondents regarded secret foreign holdings a significant part of the structure of the black wealth of the Indians. Sir. not only the private sector but even in the public sector the foreign suppliers do provide a cushion of 3 per cent to 7 per cent on imports of the public sector. Where does this cushion go? Just now, my friend, the previous speaker, referred to the deposits of Rs. 1200 crores a year in one country alone according to the World Bank report. So, every year thousands of crores of rupfees are deposited in foreign banks in secret accounts. Sir, we are celebrating the 40th anniversary of our Independence. In the same year our friends from the Treasury Benches come and say that we have achieved many, many things. Yes, you have achieved this thing in this country that even after 40 years of independence mothers have to sell their babies for Rs. 50. It is reported in the press yesterday that a mother has sold her baby for Rs. 50 in Orissa. A child is dearer than life to a mother. But the mother has to sell her baby. This is the India that you have created. Even after 40 years of independence people are not able to get bread and butter to feed their stomach. For one square meal they have to suffer. But in foreign countries, in secret accounts, we are depositing thousands and thousands of crores of rupees.

Sir, the most striking instande of smuggling and invoice manipulation was brought to notice here on the floor yesterday when Mr. Kulkarni referred to the Reliance case. Yes. They are one of the main culprits, the Reliance Industries forging a letter of credit, ante-dating it and cheating the Government of India. An industrial plant of the value Of Rs. 115 crdre was brought into the country evading customs duty to the tune of Rs. 120 crores. They have committed this. Sir, there is also a charge that a power plant costing Rs. 25 crores was gifted to Reliance by a generous foreign firm. They are able to bring an industrial plant evading customs duty to the tune of Rs. 120 crores. But people who have gone abroad to Gulf countries, to Dubai and Saudi Arabia, they work hard and earn some money, they suffer so many privations, they are separated from their wife and children., from their parents because they have to work hard and when they return to lndia and bring something, a two-in-one or some electronic goods or foreign clothes they are harassed like anything by the bus-toms authorities at the airport. But you are allowing people to rob this country. I now come to the NRI. Yes it is not nonresident Indians, it is nation ruining Indians, because this has become a channel to bring in slush money. I quote from Dr. Raja Cheliah's report regardingthe NRIS: Transformation of black to white via foreign exchange is believed to be growing rapidly with some of the recent schemes to attract saving and investment from Non-Resident Indians, Sir, the non-resident Indians they are plundering India's economy. Our Prime Minister has stated that non-resident Indians are invited to invest their money for fugher technology, superior technology, to invest in superior technology. But they are making investments in real es. tate in the hotel industry. In which superior technology are they investing? If something is smuggled into India, it has to be paid for in foreign exchange abroad.

Sir. this NRI scheme has become a cover up for clandestine operations. *(Interruptions).* T do not want to dwell on that point. Mr. Vice-Chairman, Sir. this NRI scheme has become a cover-up. A person has gone abroad and he says that he has cot a work permit and he is living in a rented apartment in Switzerland. He says that he is living in a rented apartment because his employers are giving him money to meet the expenses and he says, yes, I have got a work permit my employers are giving me the money and I am living in an apartment on rent. But things have been established beyond a shadow of doubt that this very game geiveman has purcrv-'scd property in April 1986 to the tune of Rs. 85 lakhs. Of course, it was under-valued to the tune of Rs. 48 lakhs. Who is he? He is the brother of a cine star turned politician. who is the bosom friend of a very very important person of this country, a bosom friend from Doon school days, a cine star turned politician who climbed the ladder and due to the direction of his bosom friend, he had to climb down the ladder, tendering his resignation from being a Member of Parliament, it is his own brother. What case have you registered against him? He now says, yes, I come under the category of NRT. He was living in India when his property was purchased there in Switzerland. The very same gentleman has said, I am living in a rented apartment and he is also in the ruling party, his brother. And now it has been proved beyond any shadow of doubt that he purchased the property. Where did he get the money from. How did he acquire money to purchase this property? Is it possible on a tourist visa?

Sir, in a recent article in INDIA TO DAY, it has been reported.....

THE VICE-CHAIRMAN (SHRI JAGESH DESAI) Don't mention the names.

SHRI V. GOPALSAMY: Mr. Kalp-nath Rai mentioned the names of so many people umpteen number of tiles. I can ask the Government as to what action they have taken against Mr. Ajitabh Bachchan. The whole country knows. I did not mention the name of the very very very important person of this country; I did not mention his name. I did not mention the name of the very very very important person, the bosom friend of Mr. Ajitabh Bachchan's brother. I need not mention his name. I would not commit that mistake. So, I was quoting from INDIA TODAY:

[Shri V. Gopalsamy]

"...and information available on Ajitabh's appliaction for a Swiss work permit, reveal that he is already launching into substantial business dealings in Switzerland, involving money running into crores of rupees. These include:

—the formation of Arcolab, the company that he helped launch in June 1987— with his 50 per cent stake in the share capita! of one million Swiss francs (Rs. 85 lakh) being paid into Credit Suisse bank in Geneva; —Arcolab's ambition., plans to take over all the assets of an older company. Arcopharnia for a maximum price of 2.3 million Swiss francs;

—the acquisition of the flat in Montreux itself, with a down payment of Rs. 22.5 lakh list year, and the balance Rs. 22.5 lakh arranged through a mortgage.

All three transactions mean that the total sum now paid out by Ajitabh, by his company or by others on his behalf, amounts to a substantial Rs. 3.37 crore. And the key questions are: where has the money come from and whose money is it?"

And what action you have taken against Mr. Ajitabh Bachchan?

SHRI VISHVJIT PRITHVITiT SINGH: Investigation is already on. It is to be decided. . . *(Interruptions)*.

SHRI V. GOPALSAMY: Already he has moved to Belgium. This gentleman has disappeared from Switzerland now and he has landed in Belgium.

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra): These allegations are based on false news reports. . . *(Interruptions).*

SHRI V. GOPALSAMY: The world is going to know whether this is true or not. Can you deny his acquisition of an apartment? I am asking my hon. friend from the Treasury Benches What is your reply to the charge about the apartment in Switzerland? Tell me. Let any of my friends that side tell me. What is your answer to my charge about his purchase of an apitrtment in Switzerland?

SHRI VISHVJIT PRITHVIJIT SINGH: To say it is one thing. I am no friend of anybody but I would like to point out one thing that whatever these teports are, there are different kinds of reports in different kinds of media; the Government of India has ordered an enquiry into the affairs of the gentleman whose name was taken by the hon. Member. An enquiry has been ordered. He will be dealt with under the law of the land. The matter is *sub-judice.* Let it be decided. Let us not jump the gun. Let the man be found guilty of whatever crime and he will be punished duly.

SHRI V. GOPALSAMY; Sir, he has said different versions have come from different media. But document of ownership of the apartment has been firm'shed; it bears the seal of the Registry of Property Revenue Switzerland. This is th: attested copy of the document which has appeared... *(Interruptions).*

SHRI VISHVJIT PRITHVIJIT SINGH: In this very document which he is quoting, it is shown that the entire money has been paid by a bank, and not by Mr. Ajitabh Bachchan, it is in the same document.

SHRI V. GOPALSAMY: He said he is living in a rented house. His brother also said. The cine star turned politician said: "My brother is living in a rented house. Yes, he purchased property; but monev was paid by some company." Mr. Vice-Chairman, Sir, the former Finance Minister, Mr. V. P. Singh, said on the floor of Parliament, he informed the House, that a case has been registered acrainst Mr. Lalit Thaoar for violation of foreign exchange regulations. T would like to know from the hon. Minister whether it is a fact or not that the present Director of Enforcement, Mr. Anil Kumar, has dosed the case. If so, why? Is it possible to close a case when it has already been registered? What have you done in regard to Lalit Thapar? This Lalit Thapar's company...

THE VTCE-CHATRMAN (SHRI JAGESH DESAI): Last point.

SHRI V. GOPALSAMY: T will just-take one or two minutes. This Lalit Thapar's company, 'Greaves Cotton* has a

a turnover of Rs. 600 to Rs. 700 crores, out of which Rs. 400 crores come from agency commission, Rs. 300 crores out of the Rs. 400 crores of agency commission come in foreign exchange from agencies of international companies. I would like to know from the hon. Minister whether out of the Rs. 300 crores in foreign exchange, any amount has been transmitted through the banking channels. This particular group of Lalit Thaper deposits Rs. 100 to Rs, 150 crores every year in secret accounts in foreign banks. Are you prepared to order a thorough enquiry? Mr. Thapar filed an affidavit in the Delhi High Court denying what has been said about them regarding FERA violations. But he himself admitted that he committed some irregularities. Then, he gets the patronage—as I already said—of the very very important person of this country. For what reason? Because that very very important person uses his private plane. . *(Interruptions)*

SHFI VISHVJIT PRITHVIJIT SINGH; This is absolutely, *No. *(Interruptions)* I will not tolerate this. *(Interruptions)*-The Thapar Group does not possess a plane. *(Interrupions).*

SHRI V. GOPALSAMY: This will not help. 1 am not yielding.

SHRI VISHVJIT PRITHVIJIT SINGH Let me tell you. it is blatant* *(Interruptions).* You should withdraw the remark's.

SHRI V. GOPALSAMY; Is is a fact or not? *(Interruptions)* I stand by it. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI JAGESH DESAI); The Minister will re ply to it.

SHRl VISHVJIT PRITHVIJIT SINGH; No. He should withdraw these remarks.

SHRI V. COPALSAMY: I am not withdrawing. I did not mention the nam? of any VIP. Why are you getting perturbed?

SHRI VISHVJIT PRirHVIJIT SINGH He should withdraw these remarks,

(Interruptions)

THE VICE-CHAIRMAN (SHRI JAGESH WESAI); The hon. Minister will take are of this. If the allegation is wrong, he will refute it. You need not insist on this. The hon. Member has spoken. The Minister will have the facts and he will reply to it.

SHRI V. GOPALSAMY: Sir, the former Finance Minister—I am coming to the la t point—ordered an enquiry into the submarine deal; purchased from West Germany. What happened? It it a fact that the new Director, Mr. Anil Kumar, closed it? What happened to this enquiry? I would like to know from the hon. Minister. Sir, thousands of crores of rupees are being smuggled out of this country and deposited in foreign banks and you are celebrating the 40th Anniversary of Independence; You are celebrating the 40th Anniversary when mothers have to sell their babies for Rs. 50|-.This is what you have brought India to in these forty years.

SHRI GHULAM RASOOL MATTO: Mr. Vice-Chairman, Sir, the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Bill, 1987 has been placed before us for our consideration. This seeks to replace the Ordinance issued on 2nd July, 1987. This is an innocuous Bill and only seeks to extend the period of detention by two years and also extend it beyond the 31st July 1987. However, 1 find one Haw in this Bill. Sub clause (b) of clause 2 of the Bill says:

> "in Explanation 1, in clauses (i) and (ii) for the words "the States of Gujarat, Karnataka, Kerala, Maharashtra and Tamil Nadu and the Union territories of Goa, Daman and Diu and Pondicherry", the words "the States of Goa. Gujarat, Karnataka, Kerala, Maharashtra and Tamil Nadu and the Union territories of Daman and Diu and Pondicherry" shall be substituted.

Now, so far as smuggling is concerned, we have recently seen trat a lot of smuggling of gold took place in Delhi itself, So, Delhi airport and Calcutta airport are also places which could be the inlets for smuggling of goods. Therefore, I feel that instead of writing only these States, the hon. Minister should have written— if it all he has to mention the States specially—"or any other States

♦Expunged as ordered by the Chair.

[Shri Ghulam Rasool Matto] Or Union Territory that the Government may from time to time by notification specify." This would have given the Government the power to include any other State or any other Union territory. I have seen for myself that the smuggling goods are available in Calcutta In Delhi also we have seen gold having been smuggled in a big quantity. So, Delhi and Calcutta should also be included. And for this purpose, a blanket permission could have been received from the House for including any other State or Union territory also.

[THE VICE-CHAIRMAN (DR. BAPU KALDATE) IN THE CHAIR]

Now bring to the notice of the hon. Minister one or two more points regarding genera) smuggling activities as such. I would not go into details to the extent sonic of the hon Members have gone, but I would like to say one thing. It has been reported that textiles worth Rs. 3,000 crores are being smuggled into this country. This is obnoxious in the sense that a country which can clothe the entire world by its production, its peopls have to smnggle cloth worth Rs. 3000 crores annually. I begin to think about it as to why it has happened I trrd to go into this and T find that certain fiscal policies are also responsible for this. If for instance on an item like polyester fabrics there is an excise daty and customs duty Of 200 to 300 per cent it invite, muggl-inn. So. I think the Ministry should undertake an exercise and see if the customs and excise duty on certain articles could be reduced. By sacrificing, say a hundred crores of rupees by way of reducing customs and excise duty on textiles, you will be saving Rs. 3000 crores smuggling. So kindly consider it. Let your Ministry have an exercise on such commodities where the rate of cumulative customs and excise duty is so much as to encourage smuggling.

This one instance with regard to the fiscal policy where the Finance Ministry could make an exercise to see that smuggling of such items is checked. Now, let me tal of my own experience. Only last month we had gone on tour. I got for my of one VCR in Hong Kong. It cost me only Rs. 45001- and as a conscientious Mamber of Parliament, I offered this to the customs authorities and they told me that L had to pay Rs. 8500 on that. It makes Rs. 13,000|- When I took this VCR home, somebody said, you are a fool. You could get it for Rs. 11,500 in Delhi itself. So such things are happening. So the high incidence of duty to my, mind, is responsible for this and a total exercise is needed by the Ministry. This thing should come before the next Budget. I would request the hon. Minister to consider these things and take into consideration all these points. I congratulate the Minister that many smugglers of nicotic drugs have been caught on the borders, but still smuggling is continuing. Tnings have to be done so that smuggling of drugs, which has reached a very big scale, is put an end to. With these words, I support this Bill.

SHRI BIR BHADRA PRATAP SINGH (Uttar Pradesh): Sir, I would like to draw hon. Minister's attention to only one problem. And that is a very practical problem according to me. It is not going to help us very much if we do not tackle the problem on a practical plane.

When money is earned in this country and tax is not paid,it becomes black money. This unpaid-tax money does not remain stagnant; it goes into circulation and as the practice is it is said to create a parallel economy in the country. In case this money is not absorbed in the country or the economy itself, it is being called as capital flight because in that case it is bound to go outside the country. Now the main purpose of the COFEPOSA Amendment Bill is how to get this capital flight from this country stayed and how to bring the capital which has flown outside the country back to the country. Unless and until these two problems are tackled, there will be money which is in the constant process of going outside the country and the problem of getting back into the country the money which has al Teady gone outside the country.

Now in France, it actually happened when the Socialist Prime Minister Marshall Petran came to power, he took certain socialistic measures. One of the measures was bank nationalisation. The result of

bank nationalisation in France was that there was enormous capital flight from France to foreign countries. Then be realised his mistake. But he did not retrace back; he continued his bank nationalisation but took certain practical steps which resulted in reverting back the money to France I feel that is a good example which the hon. Finance Minister must take into consideration while dealing with such an important aspect of our economy. Now from what happened in France, probably we have not learnt the lessons quite correctly and thought of the problem from a practical point of view. There is a basic difference in the two classes of people with whom this law deals. One class is called the non-resident Indians; the other ciass is other than non-resident Indian, whose money goes out and who are larger in number. The main problem how to get this capital flight stayed. I think that is the only basic question which I would like to Pose before him-I find there are certain difficulties. Why do you give enormous facilities to NRIs in India? Whatever facilities they get outside they get them inside also. But in India, they enjoy all the facilities, because in this country they can bring money and also invest money from outside md they do not come within the net of violation of RBI regulations. They are quite at liberty to bring money and invest in this country. They are also free to obtnin property in this country and also purchase shares in this country. They can loan money in this country, they can gift money in this country and, whenever they like they can withdraw their money and go back to the country which they belong to. Buf the greatest advantage that they have, and which the honourable Minister must consider, is that they can accoun, for tax in So many ways because basically they are non-'resident Indhns and they are not within the ambit of the present law. This is the basic difficulty which this country is facing in relation to the NRIs.

But the flight of capital from this country, the maximum in quantity, is of those who are not NRIs. You have to make a provision of law and you have to think Of how to convince those other NRIs whose money is regularly going outside the country and is not reverting back. You have to stop this flight of capital and you have to persuade them to revert the money back to this country. Unless and until you are not able to convince them about it. the COFfiPOSA, FEKA and all these regulations are not going to solve the problem. It is not a legal question but a practical question; it is a question of economy.

I had a talk with many of them. They say, "Why should we g° back with our money to India? If we go back we are like criminals before the Reserve Bank of India So, Mr. Poojan must not feel satisfied only with persuading them. In fact, you don't need to persuade so far as the NRIs are concerned. They are the best exploiters. They were Indians; they have got citizenship of some other country. They can invest in trade, take benefit and can run away with the money 'from our economy and you cannot catch hold of them. But the real problem lies with those who are not NRIs and, probab-ly, your Act is quite insufficient to deal with such people. I gave you the example of Marshall Petran of France. At the time of b.,nk nationalization he convinced such people, those other than the non-resident French, whose money was Rowing constantly out of France. He con-vinced them to bring back the money. I think your law is quite insufficient to deal with such a class of people.

Sir, I have taken permission specifically to speak on this important Bill only get chrification on one point: What would be your policy in future, how will you be dealing with this practical problem with people other than NRIs whose money is flowing out of this country and how will you get it stopped and how will you get the money reverted back to the country? Because, black money always circulates in the market. That is not a very big problem because we have accepted the philosophy of paralle 1 economy in our economy. But the basic question is: How can' you persuade such people, those other than the NRIs, whose money has gone out, to bring back their money and put it in the national economy? Thank

you very much

SHRI JASWANT SINGH: Mr. Vice-Chairman, Sir, before I proceed with the discussion, I would like to utilize this opportunity to submit a point of order to you. Just a little while ago, an honourable Member used the word "Lie". 1 have here with me a guide-line on unparliamentary usage which says: "Lie", Liarying" (with or without intensifying epithet)—lie "Lies 1 think you don't want me to give the references to it. It is a blatant lie; it is a total lie: damnable lie; lie down dog; that is a lie."

THE VICE-CHAIRMAN (DR. BAPU KALDATE): I have got your point.

SHRI JASWANT SINGH: "And you know it, that is a lie; that is a typical lie you constantly use; the Minister has lied." Now, all these are unparliamentary. Now that it has been used, I woud request you please to examine whether it 4.00 P.M. caused. .

THE VICE-CHAIRMAN (DR. BAPU KALDATE): I will do that.

SHRI JASWANT SINGH: It is customary at this juncture to thank the various members for their interventions. I must in all honesty and candidness say, I am really not grateful to all the Members for their intervention. It is said, Sir, that democracy is a system which advocates governance through discussion. Sir, after this discussion which has now lasted for two days, amongst various other conclusions one that \ have arrived at is that this governance through discussion is possible only if some Members do actually stop talking. The hon. Minister of State in the Ministry of Finance was good enough to shed a great deal, to give great deal of information on a number of cases.

He has come with an important an-nouncement, Sir. You understood the import of it.

THE VICE-CHAIRMAN (DR. BAPU KALDATE); I have understood.

SHRI JASWANT SINGH: That is right

The hon. Minister of State in the Ministry of Finance gave a great deal of information. He informed us about the number of smuggling cases that had been detected etc. if was, without any doubt. full of information. 1 must, in all honesty, here again admit that I was nevertheless, despite that information, still left unwise about what the essential thrust Of the Government is on these important measures.

My esteemed friend, Appasaheb Kulkarni, staited his intervention by enquiring of us in the Opposition why we do not support this measure. It is a very legitimate question and indeed admirably and succinctly put. But I do not think the question is well directed. I do not think, that is the real question. Of course, we support the principle of conservation of foreign exchange. Nobody in this House or that House can possibly oppose the principle of regulating foreign exchange or conserving foreign exchange. What we do oppose, and will continue to oppose, is preventive detention under the guise of conservation of foreign exchange, under the guise of regulating foreign exchange, or imprisonment without prompt trial, continuous imprisonment without sentenceing the imprisoned. Indeed, we cannot support a prejudiced and selectively political application ,of laws which ate essentially fiscal in nature but are political in application. He is a very senior Member of the House, and we *V*^{s}-ten to him with respect because he says a great deal even if he is appearing not to be saying so. It is indeed on account of this that during his intervention he repeatedly stated. "My mouth is shut." I am sorry that his mouth is shut. I would like to reiterate what his former colleague told him that all that he has to do to regain his voice is to shift a few feet and he would regain his voice.

SHRI GHULAM RASOOL MATTO: That, he would not do.

SHRI A. G. KULKARNI (Maharashtra): Just a moment, Sir. I am so sorry. I have never said that my mouth is shut. On the contrary, I said tftat my party has got democracy and we are free to speak on issues and commitment to the purpose. That is one thing, Sir. Secondly, I want to pass some observations. Why do you oppose? 1 would ask Mr. Jaswant Singh, in a democracy you defend. You believe in the Government to take an action. What elsw you can do? You allege politi-

cal motives? Everywhere in the worid-you take right from U.S.A. to Japan and U.K. to other areas-Government rules and the Opposition always attributes some political motives. What is now going on?

THE VICE-CHAIRMAN (DR. BAPU KALDATE): It is not expected of you to make a speech at this stage.

SHRI A.G. KULKARNI: I am not going to give another sermon, I would only request Mr. Jaswant Singh that in a democracy the accommodation is what you call the consensus instead of con-iioni.uion or acrimony, These are the cardinal pillars of a democracy. So you Dave to believe in the Government. Perhaps when you come in the Government and if you are likaly to be elected, we will have to believe in you.

SHRI JASWANT SINGH: Sir. he has repeated what he has said earlier about consensus, about faith. But when he himself cirlier- intervened he said that the test of the pudding lies in the eating. These were the words he has used.

SHRI A. G. KULKARNI: That still maintains.

SHRI JASWANT SINGH: Sir, the hon, prime Minister has given a pudding to the country when he said that we will ruthlessly act against wrong-doers. Regrettably, however the after taste of that ruthless' pudding continues to be unsavoury. If the taste of the pudding is in its eating and if the taste is unsavoury, then that is the only test that we can apply.

I submit. Sir, I am all for consensus. I am all for accord and accommodation. On a different occasion I had to say this the role of Parliament has to be fundamentally, by nature that of an iconoclast. We must continue t° question and if the Parliament any Parliament ever ceases to question, then, it would be abdicating its primary function.

Then, the hon. Appasaheb has said that we should cooperate. Of course, we will cooperate but questioningly and as for faith, it is the responsibility of the Government because the Government is the Leader of the House, Government is the Leader of the parliament. That is why you are in governance. There is on the Opposition a responsibility placed, a much greater responsibility is however, placed on the Government also. You have to lead by your example. You cannot command us to have faith in you. Should your conduct be such that you will naturally inspire faith, then, our faithlessness will sound hollow. Unfortunately, the reality of today is, and it is not for me alone to say so, that the Government does not command respect, Government does not command faith, because your conduct is such. If there is a separation, divide between Kathni and Karni, if these were not there, then, this problem would not arise.

My esteemed colleague, Mr Raoof Valiullah is not here. Nevertheless because that point was made by one or two honourable speakers also, therefore, I think there is a need for me to briefly mention it. He said and another Member used the word indiscriminate application of law". Perhaps, he meant without bias. My hon. colleague, Mr Raoof Valiullah said rathless application of anti smuggling measure." Now, Sir, I am always somewhat inhibited and frightened by such a blood-thirsty voicing of the principle of law. The voice of law and justice must never be strident. Merely by being stridently vocal about an application of law, you do not have a good law, you do do not have good application of such laws and that. I would submit to my esteemed colleagues. Appasaheb Kulkarni. is precisely the point, the Government is stridently vocal, vehement in what it says should be the application of law, and yet when it comes to actually implementing that law, it is to be faulted on every step as has repeatedly been pointed out by a number of speakers. Sir, one of the esteemed Member of the Treasury Benches—he is a very esteemed Member for them-spoke with an unimpressive vehemence and unadulterated venom. I was under the impression that our discussion was about the Conservation of Foreign Exchange and Prevention of Smuggling and an Ordinance relating to that. That intervention, unfortunately, was not able to establish even that difference. No doubt, that was on account

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of the fact that even that elementary discretion is not available to the member. The intervention was also extremely offensive. But being ottensive, perhaps, comes naturally to him and no effort was required, and because it comes naturally, therefore, don't think any rebuttal of the points maae there is necessary. Sir, despite the debate which has now stretched over two days almost, I have some continuing difficulties. Those are continuing because of the recent intervention mode as a point of order, which was not really a point of order, about those of us who had questioned some of the aspects of COFEPOSA or FERA, or jumping the gun", these are words really used, also somewhat loudly suggesting to us that because enquiries have been ordered, therefor necessarily, justice has also been done. Very briefly, because each of these cases has been repeated earlier I will point out to you cases where this theory of "because enquiry is ordered, therefore, justice is being done, therefore, the provisions of COFEPJSA are observed" is completely set aside. Very briefly Sir, now that the names have been mentioned by everybody freely, relatives, sons daughters, wives and everything, therefore, perhaps, you would grant me the indulgence of naming some who are now recognised as wanted and under trial There is one Shri Jajodia. Now, he was arrested under COFEPOSA. He was arrested under the provisions of the Act which We are today discussing. Shri Jajodia. I am given to understand, has some kind of connections with the arms trade also. There are allegations that he has acted as an intermediary in various kinds of arms trade. The point here is that the nexus between conservation of Foreign Exchange, between regulation of Foreign Exchange which is the other Act. between arms trade, between arms middlemen is by now an established fact. We do not have to theoretically labour over this nexus. Now. I come back to Shri Jajodia. Shri Jaiodiq was arrested under COFEPOSA. He has a gettlement with this Government, I am given to understand. He was released on some kind of a bail There is some kind of a settlement that a specific sum of money will have to be paid by Shri Jajodia, Rs. 3 crores or something like that (interrun*ton).* The hon. Minister for State would have the figures with him. I can be faulted on the exactness of figures, whether i1 30 crores or Re. 300 crores. You shouid tell us what is the figure? Is it correct that he was arrested under COFEPOSA? Is it correct that having been arrested, he was released on bail as a settlement, as some kind of arrangement, some kind of a political mechination between the Go-ei'nment and Shri Jajodia resulting in his release. 1 am given to understand there are provisions in this understanding between the Government Shri Jajodia that he would , refund some of this money, He is free passport is returned. He is free to travel. Money is no more coming. The money is not coming. Now, what kind of an enquiry has this been? You tell us that because an enquiry has been ordered into one Shri Bachchan for various possessions abroad, therefore, justice will emerge. How are we to be convinced about it? Another exam pie of an. enquiry. I did not earlier name this gentleman though I referred to it There is one industrialist known as Shri Thapar, A number of speakers have referred to him. About him. there was an enquiry What was the re-sulte of that enquiry? A settlement is arrived at. He is told. "Because you are big, you apoligise. You accept what your fault is." He apologises; he accepts what his fault is; and h° is released as part of that settlement with the Government under the COFEPOSA. He says, T will pay a certain specified sum of money". He does not pay. He does not meet his commitment. What was that sum of money Was there such an arrangement? Why has action not been taken against him? Was it unaer the COFEPOSA?

Take the third case. About him I have no reservations whatsoever cause. I believe, he has not only acted

against the country. He has acted against the laws of this land but also treacherously. That is, one Shri Chadha Here is Chadha who is accepted by the arms dealers themselves as their recognised agent middleman, representative, consultant, or whatever euphemism you like to use. Thug Shri Chadha, it is known to this Government, is the recipient of monies in foreign exexiange. It is known to this Government on 24th April that Shri Chadha has actually received monies. Yet tins Government does not put him on surveillance. This Government does not do anything about asking him to return his passport. The Enforcement Directorate sits silently. In fact, we are informed, some suggest to that extent, that a new visa for the United States is arranged at the initiative of the Government and shri Chadha is asked to leave the country before it becomes even more embarrassing. What are we to talk? How are we to be convinced about this Government when it says "Because we have ordered an enquiry justice is being done I do not want to take much time of the House by labouring on examples like Reliance, Mr. Jain or that example of Mr Bachchan or of Fairfax. Sufficient time has already-been spent on these aspects. The point that I do wish to make is that merely because you say you have ordered an enquiry and therefore justice has followed. is not established. This makes me reiterate that what is essentially a fiscal provision has been politicised to such an extent that what is otherwise a worthwhile measure has now become an extension of political patronage.

I have some very few suggestions to make. I had referred to these when I was making my opening statement and the Chairman was then good enough to say that I should make them at this point. So my very first suggestion, Which I believe needs reiteration again, is that the Government must immediately stop politicisation. Both these legislations the Foreign Exchange Regulation Act and the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act though they may have separate intentions are not dissimilar in consequence. The design may be different but the essence is the same. You must please, somehow, anyhow, stop polici-cisation of these laws which are essentially fiscal. It is essentially necessary for the land because the more you politicise it the less it will remain fiscal and the more it will lose its effectiveness.

The second point which I wish make will have to be given considera- tion. I do nor expect an immediate answer by the Government on this particular aspect. I said in my opening intervention also that the possession of foreign exchange is a convenience. *it* is not wit absolute good by itself. And, if the possession of foreign ex-| change as hard currency is aconvenience, then why do you make everv Indian feel, if he were to possess two dollars worth of it, that he is a criminal? Why should the Government of India be the only owner of foreign exchange? Why do you not apply your mind to rethinking the essential philosophy behind the possession of foreign exchanage Today it is only the Government of india that can be the possessor of this finance. Simultaneously we say we must multiply experts. on the one hand you place such restraints upon the basic genius of the Indian people to create and to multiply and to produce, not just children, but in every fiscal activity trading, industrial etc. and on the other hand, you make every Indian thereafter feel like a criminal, whether he is coming back to the country or even if he is in possession, by mistake, of a stray dollar in his pocket. This requires a change in the attitudes of mind of the Government of India and it is again only possible if you recognise that the basic thrust behind these regulations was not political, it was fiscal, and if you recognise that, then you will immediately recognise that some of the anomalies of the regulatory aspects of these two provisions that have crept in are only because of politicisation, and the moment you depoliticise all the establishments, all the

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institutions which are entrusted with the responsibility of implementing these laws too will get depoliticised; the measure will then become truly, fiscally, effective. 1 have a specific suggestion to make and this is related to foreign exchange, lt is also related to the business of earning more by way of export. The anomaly is exemplified and I have been educated on this particular point and. therefore, I am bold enough to make this assertion with some strength. We have a theme for ex port promotion called Cash Compensa tory Scheme. If by a terminological change, instead of calling it Cash Com pensatory Scheme, you say there is go ing to be a refund of local duties applied on a produce being exported out of lndia, there will be immediate refund of local duties and if you were not to call it Cash Compensatory Scheme, what were the benefits that would flow? Firstly, by cal ling it Cash Compensatory Scheme you invite countervailing duty, wherever you export it. as, for example, the United States of America which is taking steps against protectionism, etc; when there fore, you call it Cash Compensatory Sche me, counter awaling duty is attracted at the point of export. it is a simple mea sure that is required to be done, an admi nistrative change; instead of calling it Cash Compensatory Scheme, you start calling it refund of local duties and you will im mediately take away that which is cur rently inviting countervailing duties at the point of export. Here again the po int that is made is the Government will not be able to apply its mind to the fiscal fine tuning of these provisions if it did not separate from the high politicisation of these measures. *(Time-bell rings)* I wish to conclude in one minute. T wish to come from the large canvas, from the ma cro; down to the micro; parochial problem of the district and State from where I come. I come from Bnrmer-Jaisalmer district. it has a centuries old tradition of smuggling of one kind or another. as its stock earning. We have got nothing else to make a live lihood with It has been the stock liveli hood of the people of that region. There is no rainfall. Because there is no rain fall, there is no agriculture. Be-

cause there is no agriculture, there is an'* mal husbandry and animals wander; animals do not recognise territories and it becomes easier to smuggle what is required in Pakistan—be it paan, be it bottles of Indian whisky or smuggled canteen rum; it is a kind of supply and demand system. Be it silver, be it gold. There is an aspect of it which currently troubles me a very great deal. This region starting from Kutch and ending at Hindumal-kot comprising in its sweep the districts of Bikaner Jaisalmer. Banner and Kutch, is today the arena where, I believe, one of the socially most destructive phenomenas of smuggling is manifesting itself. We have never even had smuggling in narcotics. The reason why I say this is that narcotics smuggling which was not there in this region earlier has now acquired proportions which are phenomenal. It is a porous border, it is an open border. I recognise that you cannot protect every inch of that border. The reason why I entreat this Government to sake this pro-blem very seriously is that the social con-sequences of narcotic smuggling in any region are so domaging that I am fearful for my own district that if this trade in narcotics were to continue through Barmer and Jaisalmer. I do not know whether in the next five years a large population of that region is not going to get afflicted by it: Please act, hecause you have the wherewithals to act you have the machinery to act, you can act and you need to act, because along with narcotics comes illegal immigration, comes terrorism, comes break-down in law and order. Therefore. p1ease act to preserve these districts now. it is of vital concern to all of us not only from the pse oint of view of social conesion ,of the regions, tart also from the point of view of security considerations of the country.

Sir. T have taken a great deal of time, you being very patient. Sir, I would conclude by recommending to the Government and requesting the honurable Minister of State in the Ministry of Finance to have a complete review of these laws. This is a piecemeal provision and we have utilised this occasion to put across our views. Please have a complete review of both the FERA and the COFE-

POSA. We deserve these pieces of legislation for what they are as fiscal measures and not for political misapplication. Thank you Sir.

THE VICE-CHAIRMAN (DR. BAPU KALDATE) Yes, Mr. Minister.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHAN POOJARI): Sir, I have been hearing the debate for the last two days. This is a simple Bill. I heard suggestions from both sides of the House and also accusations accusing the political personalities, Ministers and officials and I do not think that we have left anybody.

Sir, here the Bill is intended to be a deterrent measure to tackle the smuggling activities. Smuggling as such is a clandestine activity and it is very lucrative and attractive for the smugglers and it cannot be stopped completely. If one says, whether he is a minister or an official, that it can be stopped completely, I think he will not be correct in his statement and it will not be possible. But we have to tackle this problem, it is a national problem. I have been stating that these people, these economic offenders, have been running a parallel economy, damaging and ruining our economy, and hence we must take deterrent measures and stem action should be taken against them. I heard the suggestions and I was very glad to hear--both sides have stated that—that there should be firm action from the Government side and that we should act without any fear or favour and that should be the commitment of the Government.

Sir, keeping in view the desire of the nation and also the desire of Parliament, we have been taking firm action under the leadership of the present Prime Minister In the year 1984, the seizures were to the extent of Rs. 101 crores and within two years. on the smuggling front, the seizures have been to the extent of Rs. 206 crores or so. This clearly shows that it is the commitment of the nation. We are giving figures. This is the figure that has been furnished by the Government. It is the real figure. You can say that whatever has been done is not sufficient. We have to do more. Yes, I agree. But nobody under the sun including the Parliament or any official including Poojari can say definitely about the amount involved in the smuggling activities. Nobody can estimate it But we have to stop it For stopping it, these are normal laws we have to act under these normal laws. The Central Government has its Acts. The State Governments must have their Acts. so far as smugglers are concerned, we have to act under the normal laws and we have been taking action under those laws. Why should there be detention? The hon. Member, Shri Jaswant Singh, made a point saying that detention should not be without trial and there is no trial for detaining a person. I may bring to the notice of the hon. House that we have to bring to net the big shairks and not small people. Here are those big sharks who are not coming within the net. They are far away from the net. It is very important to catch them. The nexus has to be broken. You have been telling about political connec-l;ons, this connection and that connection. Now we have to act. How to act? These big smugglers are acting from behind with their money bags. They connot be reached for want of evidence what can I do? Can the nation or the Parliament be silent spectators? No The Government and the nation are alive to the problem. You have to take action. In order to stop the activities of these gangsters, these kingpins and these big sharks, we have to take action and we have to Put them behind the bars. We have to detain them. I fully agree with the hon. Members when they say that it should not be politiculised. They have said that there should not be political application in implementation. I fully agrtee with you.

SHRI GURUDAS DAS GUPTA: On a point of clarification. How many people have been arrested for smuggling?

THE VICE-CHAIRMAN (DR BAPU KALDATE): Please let him finish.

SHRI JANARDHAN POOJARI: I have not interfered when the hon. Member was speaking. Your objective and our objective is the same. We have to and this menace. Action is required for that. Some hon. Members have suggested

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that the punishment should be more deterrent. I fully agree with them. That has to be examined. Mr Jaswant Singh has made some suggestions. We will examine those suggestions. Suggestions have come from this side also. We will examine them, But our determination should be that we have to act and fee punishment should be deterrent. That is why I am 'requesting you. Your party leader, the veteran leader, is also there. Why have you moved this Resolution. You have been stating inside Parliament and outside also that we should take action. Now we are going in for this deterrent measure. Now, I request you to please withdraw this Resolution and show to the country that you are against smugglers?

SHRI JASWANT SINGH: In view of the request by the hon. Minister of State, I withdraw my Resolution on the subject.

SHRI ATAL BIHARI VAJPAYEE (Madhya Pradesh): But what about action?

SHRI JANARDHAN POOJARI: Sir, I am thankful to the hon. Member for withdrawing it.

THE VICE-CHAIRMAN (DR. BAPU KALDATE): That stage will come afterwards.

SHRI JANARDHAN POOJARI: Sir, action has been taken. Sir, in the beginning here in this House and in the other House also, I read out the statistics to show that action has heen taken. And I want to make one point clear. So far as the seizures are concerned, we have to take action against big people and not small people. I agree with you. So far as the seizures are concerned, the average value per seizure in 1983 was Rs. 13,951. The average value per seizure in 1986 was Rs. 41,675. That means, the Government is effective, the officials who are working there are also very effective. And it cannot be said that we are not touching the big people.

SHRI GURUDAS DAS GUPTA; Very marginally you are effective.

SHRI JANARDHAN POOJARI: I just tell you that from Rs. 13,000 it has gone to Rs. 40,000. Upto June- 1987, the average value per seizure was Rs. 49,695. Wnen we made this point from this side, you have said, I am sorry to say-please excuse me, our former Finance Minister also should excuse us--some of the hon. Members have stated that it was so because of the former Finance Minister and it was not because of Mr. Rajiv Gandhi, the hon. Prime Minister and it was not because of the Government or because of the officials, I just tell you that the Government is headed by Mr. Rajiv Gandhi. This is the commitment given to the nation that we will take action against the economic offenders. I was the first person because the Prime Minister has given the direction to us-I have been there as the Minister of State in the Department, when the former Finance Minister was also thereto address the Customs and Excise officials. I was the first person to address them. In that meeting r made it very clear that we would not tolerate corruption, we have to take action against big sharks and if you do not take action, if you are not going to be effective, the Prime Minister will remove me. And I will not go alone. Before going, I will take some of you along with me. This is what I told the officials. So, it is very clear that the leader who is giving the direction is heading the Department, he is heading the Govern-; ment. And he is giving the direction. Forget this for a while. For example, in your Party, Vajpayeeji was the President. Now Shri L.K. Advani is the President You people are one party and you were headed by Vajpayeeji and the directio was given earlier by Vajpayeeji. Now it is given by Advaniji. Now, here also, in this case, the Government has been taking action as per the Prime Minister's directive. Now what is that that has happened? The credit has been given to only one individual. Thousands of officials were working and they were booking cases and they were taking action. These officials were acting. We cannot say that all the officers are corrupt. Here we have seen with our own eyes thousands of officials who are effective. And they are

honest people In this House I am seeing people sometimes saying that so and so is corrupt. For example... *{Interruptions)* ... I cannot say, Mr. Jaswant Singhji, that you are corrupt, I cannot say that Vajpayeeji is corrupt. I am seeing *here* our hon Members saying that we are all corrupt. Why should you say that we are all corrupt? Now coming to that point, what has happened today? You were not here. There were hurlings of allegations against political people and there were shoutings. Some people are saying that Parliament Members are having links. All this has come today, Ministers are also having links. But I would like to say that unless there is proof, we should not malign whether on that side or on this side. Tomorrow you may come from that side to this side or we may go to that side. (*Interruptions).* Now. I am just bringing to your notice that credit has been given to only one person. It is said that only one person is honest, others are not honest. The impression is created in the country that everything has been done only by the former Finance Minister and not by anybody else, not by the Prime Minister of the country, Shri Rajiv Gandhi. I am putting just one question to the nation: If Shri Rajiv Gandhi, as the Prime Minister of the nation did not want any action to be taken against economic offenders, when big people were arrested and some action has been taken during the two years' period of the then Finance Minister. Shri Rajiv Gandhi as the Prime Minister of the nation sould have called the officels and told them that he did not want it. He could have called Mr. so and so and told them do not take action against so and so on the day of the arrest itself, or he could have called Mr. V.P. Singh, former Finance Minister and he could have been told, do not take action, we do not want to. If Mr. V.P. Singh would not listen or if Mr. poorjari would not listen ,or the officials did not listen, then Mr. Prime Minister could have stated very next morning, Mr. so and so, please tender your resignation and go away- the fact that Mr. V.P. Singh continued for two years and we were there in the Government for this time shows that the Prime Minister was for taking action against economic offenders and it is therefore that our Government is for that, there is no doubt about it. *{Interruptions).* Unfortunately, I am sorry to say that you have given credit to one individual only. Credit should have been given to the Prime Minister. It is a sad thing that it has not been given. You just see the se quence. I do not want to mention the names, the action taken against political people by our Prime Minister during the last two and a half years. Even while giv ing the tickets also, I can keep my hand °n my chest, and say that he never tolerat ed corrupt people, he never tolerated cor ruption and he will not tolerate corrup tion henceforth also. Now, see you have said so many things today Some of them are allegations. We have to take action. You have also brought to the notice of the Government. Mr. Singh and Mr. Kul karni has also brought things to the no tice of the Government. It is therefore necessary that we should act. We should not spare any person, whether it is Poojari or any other person on this side or that. I fully agree with you and your crusade against corruption.

I appreciate it. But so far as Poojari is concerned, you are independently following. You have gone to Swden also. I am subject to correction. I appreciate you have followed and you want to probe. Agreed, that should be the spirit. Even against Poojari that should have been done. I am just bringing it to your notice. Ynu have said that we should not politicise. I accept it. Mr. Jaswant Singh, against Mr. V. P. Singh the Congress has not made any allegation first. When he was the Finance Minister, two maga-zines made allegations against Mr. V.P. Singh. As the Finance Minister of the nation he offered himself and said that you the opposition leaders, respected opposition leaders, you probe it, and I subject myself to the inquiry. He named some of the people. What made you not to probe it, Mr. laswant Singh and my brefhern who are in the opposition parties? Why have you not done it? What prevented you? You could give the judgement that he is innocent. When the alle-gation is there, is it not your duty, as crusader against corruption, to take up the challenge? But you didn't d_0 it. Can

[Shri Janardhan Poojaril J draw a reasonable inference that Mr. V. P. Singh was also with you when he was in the Government? Because he was with you, you did not take any action. is it not a political attempt?

SHRI JASWANT SINGH; That would be an unreasonable inference. It the hon. Minister of State were to draw an inference of my lack of zeal, or laziness and of not being sufficiently enthusiastic on anti-corruption, that would not be an un-reasonable inference; to infer as he has now inferred would not however, be reasonable.

श्री सत्यपाल मलिक : आपकें प्राइम-मिनिस्टर नें चिट्ठी लिखी और कहा कि आपकें खिलाफ जो चार्जेज हैं, वह गलत है। चिट्ठी लिखी है,

He has written a letter to Mr. V.P. Singh that all these charges are baseless.

SHRI JANARDHAN POOJARI 1 am not saying that Mr. V. P. Singh is corrupt. I am not saying for a minute that Mr. V. P. Singh is dishonest or the allegations are true What 1 am trying to say is why that probe was not made. Now, I have seen some cortificate given by the Prime Minister; it has been published in the papers saying that Mr. V. P. Singh is honest. And the Opposition Parties wanted to rely on the certificate given by the Prime Minister and they wanted to rely on the certificate given by the Chief Minister of U. P. I am very glad.

SHRI JASWANT SINGH: That is very foolish, I agree.

SHRI JANARDHAN POOJARI: I am very glad. You want to rely on the certificate given by the Prime Minister. I do not know, how . I am just putting a question to the Prime Minister, as a citizen and not as a Minister. If the Prime Misister may find today an hontst man and if there is evidence coming tomorrow against it. are you taking any action Or not?

SHRI JASWANT STNGH; You must take action.

SHRI JANARDHAN POOJARI; Yes, it must be taken. Yon rely on the certificate given by the Prime Minister. Weli. I accept your contention. But when the Prime Minister has stated that we are going to take action, let us sit together, let us find out if there is any prima facie ease so that we can take action, why can't yon agree to it? So far as Mr. V. P. S is concerned, you want to believe the statement; you want the credibility to be given to the Prime Minister. Why can't you do the same thing when he says let us work together, let us form the Parliamentary Committee, let us go into that, let u.s sit together? Why can't you d° that?

SHRI GURUDAS DAS GUPTA; Minister is indulging in wonderful digression.

SHRI JANARDHAN POOJARI; lt is the highest forum. When you say it should not be politicised, I fully agree with you. Your approach should also not be politi-calised if you are impartial. When the present Chief Minister of U.P. says that Mr. V. P. Singh is very honest, publicity is given that he has stated this and you want this to be accepted. At the same time you say that man is not eflfecive. that Chief Minister is not effective and he should be removed. So, in case of Mr, V. P. Singh the UP. Chief Mini statement is convenient to you and you want to accept it but not other things. I do not understand his logic. We must fair. Hon. Member Shri Baby made a point about smuggling and said about the craze of foreign goods. We politicians should not go in for foreign goods but buy swadeshi goods. I fully agree with that young gentlemen, the hon. Member from the CPI(M). *(Interruptions} I* that this should bene. But by whom this is to be done? This should be done by the-Minister who is looking after For the benefit of the hon. Members. I would like to point out that when T went to Russia as a Member *Of* Parliament, I did not bring even a single article from that country. T did not spend even a single paise in. foreign exchange; brought the entire bag to the country. Last year, I want to atten'd a commonwealth conference. I also went to Sydney. Australia, to attend another meeting. I did not bring even a single

article. I fully agree with the hon. Member that we should set examples for others to follow. 1 fully agree with that. *(Interruptions)*

SHRI V. GOPALSAMY; No complaints against you. You travel only in the economy class in the aircraft. We have no complaints against you.

SHRI JANARDHAN POOJARI: The names of some people have been mentioned. I do not want to say anything on this. The hon. Member, Mr. Kulkarni, referred to Reliance. If he wants, I can tell him what action has been taken, (*Interruptions)* So far as Reliance is concerned, there is a customs case. Duty involved is Rs. 119.64 crores. This is regarding import of machinery. Adjudication is in progress. They have gone to the Bombay High Court. Prosecution will be decided after the adjudication. We will not leave anybody. We will not spare any person. The second one is a central excise case. Duty involved is Rs. 27.23 crores. This is pertaining to the Patal ganga unit. Short account of production of POY. Adjudication is in progress. This matter is also in the Bombay High Court. Prosecution will be decided after adjudication. Then, another central excise case. Duty involved is Rs. 1.17 crores. This is pertaining to the Narona unit. Taking fraudulent proforma credit of duty. Amount fully paid up even be 'fore the show-cause notice WP.S issued. Adjudication is in progress. Prosecution has already been launched in this case on 4-8-1987. We will not spare, *(Interruptions')* In Jajoria's case, he was detained on 4-2-87 under COFEPOSA. There is a procedure. There is an advisory board. In the advisory board, two retired High Court judges are the Members. This is a tatutory body. He was detained on 4-2-87 ana advisory board released hira on 27-4-87. He repatriated a sum of Rs. 1.58 crores. A show-cause notice was issued to him. Adjudication is in progress. In regard to other cases also- -Mr. Singh mentoined some — we will look into them. We will not spare any person. But we should be very careful. There should be a *prima facie* case, This is *th;* thinking of the Prime Minister also. We should be responsible. As a Government, we cannot be irresponsible. Some hon Members said that there are ir-regularities, corruption etc. and that action should be taken. Sometimes,, Members go to the extent of saying. . *(Interruptions)*

DR. G. VIJAYA MOHAN REDDY (Andhra Pradesh) What about tax relief given to Reliance on two occasions?

SHRI JANARDHAN POOJARI: There also, sometimes, we should not rely on all the Press reports. We should be very careful. We will examine. We should examine the Press reports also. For that, time is taken. We should also, examine them. But we should not be in a hurry to take action Tomorrow if it is going to fail it is not going to bring good name to Parliament. One hon. Member from the other side said that whatever he sail should be reexamined, that it should not be taken as the Gospel truth and that we should further examine that. You have to examine, that has also been be careful. Shri Kalpnath Rai mentioned about so many facts. Shri Guptaji from the opposition side has also stated about the action to be taken against some dealings of the former Finance Minister. It is in his own interest that he makes things clear. An impression is round the corner that political people are spared, but I should make it clear that we would look into, what the hon. Members have said. I am going to look into that also.

Sir, here 1 have been given very little time, but what i am submitting is, let us work together, let us fight against corrup-tion, against economic offenders. Let us be one. Please do not misunderstand me. There is an impression in and outside the country that we all are corrupt, only one person is honest in the country and all others are bad. So, that is not in the interest of the nation. We have got so many honest people here. Even outside the country there are thousands of people who are honest. There are persons, there are officials who are working against the smuggling activities. They are working in very risky positions and their lives are

[Shri Janardhan Poojari]

sometimes in danger. They are prepared to sacrifice their lives. To those people we are rewarding also. We should not condemn the people who are effective and honest. Let us condemn those people who are inefficient who are corrupt and who are colluding with the smugglers. Agains 32 officials we have taken action. At the same time, we have rewarded the people who are effective. Let us improve our system. There are officers who are very effective and dealing with economic offenders and blackmarketeers.

With these words I move that the Bill be taken into consideration.

SHRI V. GOPALSAMY We agree that you are honest.

SHRI RAM AWADHESH SINGH: Some clarifications must be sought.

SHRI M. M. JACOB: There is a function in the Central Hall. The Members are invited there. We would like to adjourn the House at 5.00 p.m.

SHRl JASWANT SINGH: Just one sentence th it it is not for me to grant credibility or certificates of honesty, it is the people at large who will either give you credibility or certificates of honesty or not give them.

As far as I am concerned, I started by saying that I do not question anybody's *bona fidas.* It is not because the Minister has so patiently pleaded for it appealed for it, but even otherwise. Because we utilise this occasion to enlarge the scope *of* this debate and say what we wish t° say on a subject which is a matter of concern for all of us, indeed, and that is why I moved my motion of disapproval. Of course, now, I withdraw it,

The Resolution was, by leave withdrawn..

5.00 P.M.

THE VICE-CHAIRMAN (DR. BAPU KALDATE): Now I shall put the Motion moved by Shri Janardhan Poojari. The question is:

> Tha the Bill further to amend the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974, as passed by the Lok Sabha, be taken into consideration.

the motion was adopted.

THE VICE-CHAIRMAN (DR. BAPU KALDATE): We shall now take up cluise-by-clause consideration of the Bill.

cluses 2 and 3 *were added to the Bill.*

clause 1. the Enacting Formula and the Were added to the Bill.

SHRI JANARDHAN POOJARI: Sir, I move:

"That the Bill be passed."

77/., *question was Put and the motion was adopted.*

THE VICE-CHAIRMAN (DR. BAPU KALDATE): The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at one minute past five of the clock till eleven of the clock on Thursday, the 20th August, 1987.